

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROGER G. OTTO,

Petitioner,

v.

MAGGIE MILLER-STOUT,

Respondent.

Case No. C07-5452RJB

ORDER DENYING PETITIONER'S
MOTION TO DISMISS
RESPONDENT'S PLEADINGS

This 28 U.S.C. § 2254 petition has been assigned to the undersigned Magistrate Judge. Petitioner has filed a motion asking the court to dismiss or deny respondents motion to dismiss this action. (Dkt. #25). Petitioner provides no valid argument why the motion should be denied and does not address the motion of the merits. Petitioner's motion is **DENIED**.

The clerk is directed to send copies of this order to petitioner and counsel for respondent.

DATED this 11 day of December, 2007.

/S/ J. Kelley Arnold

J. Kelley Arnold

United States Magistrate Judge